



2021 ASSEMBLY BILL 442

July 12, 2021 - Introduced by Representatives L. MYERS, VRUWINK, BALDEH, CABRERA, SINICKI, HESSELBEIN, SUBECK, SNODGRASS and DRAKE, cosponsored by Senator L. TAYLOR. Referred to Committee on Housing and Real Estate.

1 **AN ACT relating to:** notifying owners of residential elevators of possible defects
2 and remedies.

Analysis by the Legislative Reference Bureau

This bill requires a person who, at any time during the previous 20 years, manufactured, sold, constructed, installed, altered, maintained, repaired, or inspected an elevator or dumbwaiter that serves an individual residential dwelling unit (residential elevator) to send a notification no later than July 1, 2023, to the owner of the dwelling unit that describes all defects of which the person is aware that may apply to the residential elevator and a description of the remedies for the defects of which the person is aware.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 **SECTION 1. Nonstatutory provisions.**

4 (1) DEFINITIONS. In this SECTION:

5 (a) "Aware" means to have notice or knowledge.

6 (b) "Defect" means any of the following:

ASSEMBLY BILL 442**SECTION 1**

1 1. A defect in the manufacture, design, or installation of a residential elevator
2 or any component part of a residential elevator that is related to safety.

3 2. A condition of a residential elevator that fails to comply with current
4 standards, conditions, or specifications adopted or approved by a federal or state law
5 or agency, including a requirement under subch. VII of ch. 101 or of the rules
6 promulgated under subch. VII of ch. 101.

7 3. A repair, replacement, or alteration of a residential elevator that is
8 recommended by a manufacturer, distributor, dealer, retailer, or installer of the
9 residential elevator and that is related to safety.

10 4. A repair, replacement, or alteration of a residential elevator that is
11 recommended by a consumer product safety association and that is related to safety.

12 5. Any other condition of a residential elevator that may pose a risk of harm
13 or render the residential elevator unsafe, including any of the following:

14 a. The clearance between the hoistway face of a landing door or gate for the
15 residential elevator and the hoistway edge of the landing sill exceeds three-quarters
16 of an inch.

17 b. The distance between the hoistway face of a landing door or gate for the
18 residential elevator and the farthest point of the car door or gate exceeds 3 inches.

19 (c) "Elevator professional" means any of the following:

20 1. An elevator contractor licensed under s. 101.985 (1).

21 2. An elevator mechanic licensed under s. 101.985 (2).

22 3. An elevator inspector licensed under s. 101.985 (3).

23 4. A manufacturer or retailer of residential elevators.

